

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C. A. NO. 03-12502 NMG

HARTFORD FIRE INSURANCE COMPANY,)
Plaintiff)
)
vs.)
)
EASTERN CONTRACTORS, INC.,)
Defendant/Third Party Plaintiff)
)
vs.)
)
CITY OF LAWRENCE,)
Third Party Defendant)
_____)

**DEFENDANT/THIRD PARTY PLAINTIFF'S, EASTERN CONTRACTORS, INC.'S,
MOTION FOR LEAVE TO FILE SUR REPLY IN RESPONSE TO HARTFORD FIRE
INSURANCE COMPANY'S REPLY TO EASTERN CONTRACTORS, INC.'S
OPPOSITION TO HARTFORD FIRE INSURANCE COMPANY'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

NOW COMES the defendant/third party plaintiff, Eastern Contractors, Inc. (hereinafter "Eastern"), and hereby requests leave to file a sur reply to the plaintiff, Hartford Fire Insurance Company's (hereinafter "Hartford"), Reply Memorandum to Eastern's Opposition to Hartford's Motion for Partial Summary Judgment (hereinafter "Hartford's Reply"). In support of this sur reply, Eastern states that it wishes to address certain factual assertions and legal arguments set forth in Hartford's Reply. Eastern requests leave to file its reply on or before March 1, 2006.

WHEREFORE, the defendant/third party plaintiff, Eastern Contractors, Inc., respectfully requests that this Honorable Court grant its request for leave to file a sur reply on or before March 1, 2006. A proposed Order is attached hereto.

Respectfully submitted,

Defendant/Third Party Plaintiff,
Eastern Contractors, Inc.
By its attorneys,

s/ David T. Keenan

Edward J. Quinlan, Esq., BBO# 409060

David T. Keenan, Esq., BBO# 567325

Quinlan & Sadowski, P.C.

11 Vanderbilt Avenue, Suite 250

Norwood, MA 02062-5056

Phone: 781-440-9909

Fax: 781-440-9979

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